IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 9206 of 1995

Between:

1 K. Vishnu Mohan Rao, S/o Venkata Ratnam,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
2 G.N.V.S. Narayana , s/o Venkateswarlu,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
3 Kolli Venkata Satyanrayana Prasad, S/o Ramachandra Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
4 Y.V. Prasad, s/o Veeraraghavaiah,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
5 Talluri Satyanarayana, S/o Satya Narayana,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
6 Ch. Bhavani Sankar Rao, S/o Madhusudan Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
7 Ch. Satyanarayana Prasad, S/o Bhavani Shankar Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
8 Talluri Lakshmana Rao, S/o Rama Murthy,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
9 Talluri Ramachandra Rao, S/o Rama Murthy,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
10 Ch. Venkateswara Rao, S/o Madhusudhan Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.
11 Bodavula Krishna , S/o Venkaiah,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.

12 Ch. Rama Mohan Rao, S/o Madhusudan Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.

13 Thamminadi Veeranjaneyulu, S/o Basava Rao,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.

14 P. Peddi Raju, S/o Lakshminpathi Raju,
R/o. Ramavaram (V), Kaikalur (M),
Krishna Dist.

15 Danam Venkatesh, S/o Muthaiah,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

16 Kolli Ramachandra Rao, S/o Suryanarayana,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

17 Uppalapati Surya Prakasa Rao, S/o Krishna Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

18 Batraju Rambabu, s/o Nageswara Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

19 K. Ramgopal, S/o Venkateswarlu,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

20 K. Lakshmi Narayana Prasad, S/o Raghunadha Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

21 K. sebbacharyulu, s/o Prahalada Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

22 K.B. Chowdary, S/o K. Sitrama Swamy,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

23 K. Yesuratnam, S/o Nandayya,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

24 K. Bramanandam, s/o K. Narasayya,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

25 Y. Srinu Babu, s/o Venkateswara RAo,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

26 K. Mikayelu, S/o Ananda Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

27 N. Naga Venkata Srinivasa Rao, S/o Koteswara Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

28 A. Venkateswarlu, S/o Vanamaiah,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

29 A. Sattamma, W/o Subba Rao,

R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

30 G. Adam, S/o G. Nelabalaudu,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

31 P. Nageswara rao, S/o Perraju,
R/o Ramavaram (V), Kaikalur (M), Krishna Dist.

32 P. Syamalamba, W/o P. Babji,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

33 P. Chandra Kumari, w/o P. Nageswara Rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

34 G. Vijaya Raju, S/o Manikyam,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

35 P. Nallaiah, s/o Nagaiah,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

36 G. Venkata Ratnam, s/o Ramaswamy,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

37 Kusarla Achaiah, S/o Subbamma,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

38 Talluri Gangadhara Rao, S/o Buchaiah,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

39 Bommanabolu Lakshmana Rao, s/o Veeraju,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

40 S. Mohan Das Karam chand Gandhi, s/o Venkateswara rao,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

41 Yerra Sreenu, S/o K. Radha Krishna,
R/o Ramavaram (V), Kaikalur (M),
Krishna Dist.

42 Eturi Pullam Raju, S/o Venkatraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

43 Cherukuvada Subbaraju, S/o Surya Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

44 Merugu sundara Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

45 Doma Vijaya Raju, S/o Subbarao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

46 Thoya Rama Murthy, S/o Nagaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

47 Karri Sriramulu, S/o Lakshmaiah,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

48 K. Nagabhushanam, S/o Satyanarayana
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

49 Uddaraju Bangaraju, S/o Narahari,
R/o Dodipatla (V), Kaikaluru (M), Krishna Dist.

50 B. Rambabu, s/o Somaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

51 V. Venkata Narayana, S/o Venkataswamy,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

52 M. Veeranna, S/o bhogeswara rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

53 P. Narasimha Murthy, S/o P. Lakshmaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

54 S. Venkateswa Rao, S/o Purnachandra Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

55 G. Yedukondalu, S/o Surrao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

56 G. Kasi Raju. S/o Seetharama Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

57 L. Srirama Murthy, s/o Nagaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

58 N. Pedda Rajanna, S/o Sri Ramulu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

59 Karnam Subba Rao, s/o Pothuraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

60 Panchadhara Venkateswara Rao, S/o Bodeswara Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

61 G. Gopalakrishnam Raju, s/o Venkata Narasimharaju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

62 G. Pitchaiah, S/o Anjaneyulu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

63 P. Srinivasa Rao, S/o Naganna,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

64 K. Nagendra BAbu, S/o Gandhi
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

65 Ch. Satyanarayana Raju, s/o Venkatapathi Raju,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

66 T. Kanaka Raju, s/o Thammi Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

67 Uddaraju Venkatraju, S/o Jogiraju,
R/o Dodipatla (V), Kaikaluru (M), Krishna Dist.

68 Ch. Satyanarayana Raju, S/o Surpa Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

69 G. Surpa Raju
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

70 Y. Subba Raju, s/o Venkataraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

71 N. Sarveswara Rao, S/o Kanakam,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

72 V. Basava Sankaram, S/o Venkata Swamy,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

73 Nadimpalli Venkata Rama Raju, s/o Venkata Rama Ranu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

74 B. Ganga Raju, S/o Venkatesu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

75 K. Srinivasa Rao, S/o Satyanarayana,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

76 P. Umapathi Raju, s/o Jagapathi Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

77 Mandhapati Ramachandra Murthy,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

78 Uddaraju Srinivasu Raju, S/o Rabadhu Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

79 M. Shedrak, S/o Yesupadam,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

80 P. Trimurthulu, S/o Veeraiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

81 U. Venkatrama Raju, s/o Venkataraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

82 M. Ramraju, s/o Appalaraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

83 Ch. Ranga Rao, S/o Rama Dandu,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

84 M.V.S.N. Prasad, S/o Venkata Krishna Rao,
R/o Dodipatla (V), Kaikaluru (M), Krishna Dist.

85 P. Ramakrishna , s/o Mallikharjuna,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

86 V. Ramakrishnam Raju, s/o Subba Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

87 Yetukuri Venkata Raju, S/o Bangaraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

88 Y. Janaki Rama Rao, S/o Venkataraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

89 Kanumuri Krishnam Raju, S/o Venkataraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

90 Yetukuri Krishnamraju, S/o Venkataraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

91 G. Ramakrishnam Raju, s/o Rajamraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

92 U. Lakshmi Parvathi, w/o U. Rajamraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

93 U. Suryakantham, w/o Venkata Ram Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

94 G. Venkata Lakshmi, W/o Surraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

95 G. Venkata Ramana Kumari, W/o Satyanarayana Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

96 K. Krishnaiah, s/o Jnanambaram,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

97 D. Vijaya Raju, s/o Kantha Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

98 Pichi Raju, S/o Chowdari,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

99 D. Sundrarao, S/o Kantha Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

100 D. Daveedu, s/o Yesubu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

101 D. Aseervadam, S/o Yakasi,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

102 Tenali Solemanraju, S/o Chatrakku,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

103 Revu Venkata Ratnam, S/o Gangulu,
R/o Dodipatla (V), Kaikaluru (M), Krishna Dist.

104 Doma Vijaya Raju, s/o daveedu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

105 Masi Mukkala Prasad, s/o Rama Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

106 G. Devid, S/o Jeeva Ratnam,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

107 Vemulapalli Koteswara Rao, S/o Venkaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

108 M. Yesupadam, S/o Chetrakku,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

109 P. Raghavendra Rao, S/o Venkateswara Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

110 P. somaiah, S/o Ramaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

111 B. Bala Koteswara Rao, S/o Somaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

112 G. Satyanarayana Murthy, S/o Peddaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

113 G. Reddaiah, s/o Venkata Swamy,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

114 Pothu Raju, S/o Bangaraiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

115 N. VEnkata Subba Rao, S/o Gokanna,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

116 N. Naga Raju, s/o Radhakrishnam Murthy,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

117 G. Satyanarayana, S/o Venkaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

118 Midde Venkateswara Rao, s/o Mahalakshmadu,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

119 N. Subba Rao, S/o Chintaiah,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

120 P. Venkateswarlu, s/o Nagaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

121 N. Gokanna, S/o Gangaiah,
R/o Dodipatla (V), Kaikaluru (M), Krishna Dist.

122 P. Naganna, S/o Gerataiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

123 V. Linga Raju, S/o Narayana Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

124 P. Babu Rao, S/o Bogaiah,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

125 G. seethjarama Raju, s/o R.Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

126 N. Satyanarayana, S/o Venkateswara Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

127 K.V. Ramana, s/o Satyanarayana,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

128 G. Bogaraju, s/o Seetharaju,

R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

129 U.V.Subba Raju, S/o Krishnamraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

130 U.V. Rama Raju, S/o B. Subbaraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

131 G. Sri Devi, W/o Srinivasa Rao,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

132 P.M. Rohini, W/o Suryanarayana Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

133 K. Prasada Raju, S/o Ranga Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

134 G. Leelavathi, W/o K.A. Raju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

135 G. Suseela, W/o Kasiraju,
R/o Dodipatla (V), Kaikaluru (M),
Krishna Dist.

136 K. R. Krishnam Raju, S/o Satyaraju,
R/o Dodipatla (V), Kaikaluru (M),

Krishna Dist.

..... PETITIONERS

AND

1 The District Collector,
Krishna Dist., Machilipatnam,
Krishna Dist.
2 The Superintending Engineer,
Public Works Department, Vijayawada, Krishna Dist.
3 The Executive Engineer,
Public Works Department, Vijayawada,
Krishna Dist.
4 The Deputy Executive Engineer
Public Works Department, Vijayawada,
Krishna Dist.
5 The Mandal Revenue Officer,
Kaikaluru (M), Krishna Dist.
6 Katta Nagaiah,
7 K. Laxmi Manoharamma,
8 K. Ravindra Babu,
9 K. Vivekananda,
10 K. Venkateswara Rao,
11 K. Sreerama Krishna Prasad,
12 A.V. Kishore,
13 K. Ramakrishna Rao,
14 R.N.V. Subramanyam,
15 R. Laxminarasimha Rao,
16 A. Kamalamma,
17 B. Nageswara Rao,
18 M. Subbaiah,
19 B. Mohan Rao,
20 Javvadi Ramakrishna Murthy,
21 A. Narasimha Rao,
22 A. Vidya Dhari,
23 A. Venkata Suresh,
24 A. Ramakrishna Murthy,
(RR 6 to 24 are impleaded as per Court order dt:4.7.95 in WPMP.No.14119/1995)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to declare the action of the Respondents in according the sanction for the erection of the culvert (Drain) at nearly 03-04 furlongs on Dodipatla Kotha Kalava for diversion of water to Ramavaram Channel to irrigate the lands in Sitannapalli (V) as illegal, arbitrary unjust and violative of Principles of natural justice, and Article 14 of the Constitution of India.

Counsel for the Petitioners: MR.V.SRINIVAS

Counsel for the Respondents 1 & 5: GP FOR REVENUE.

Counsel for the Respondents 2 to 4: GP FOR IRRIGATION.

Counsel for the Respondents 6 to 24: M/s. M.Satyanarayana, P.Narsing Rao.

The Court made the following :

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THE HONOURABLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.9206 of 1995

ORDER:

It is submitted by the learned counsel appearing for the petitioners that the writ petition has become infructuous, as the Government have considered the claim of the petitioners as agitated in this writ petition and passed appropriate orders in that respect.

Recording the same, the writ petition is dismissed as having become infructuous. No costs.

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N.V.RAMANA, J.

Dated: 6th August, 2004.

CS/SVV

To

1.The District Collector, Krishna District at Machilipatnam.

2.The Superintending Engineer, Public Works Department,

Vijayawada, Krishna District.

3.The Executive Engineer, Public Works Department, Vijayawada,

Krishna District.

4.The Deputy Executive Engineer, Public Works Department,

Kaikaluru, Krishna District.

5. The Mandal Revenue Officer, KaikaluruMandal, Krishna District.

6. Two C.Cs. to the Government Pleader for Revenue, High Court

Buildings, Hyderabad. (O.U.T.)

7. Two C.Cs. to the Government Pleader for Irrigation, High Court Buildings, Hyderabad. (O.U.T.)

8. Two C.D. copies.